IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1 OF 2007
IN
CRIMINAL REVISION APPLN. NO. 169 OF 2005

M/s. Krishna Automobiles & Anr. ..Applicants.
V/s
Total Finaelf India Ltd. & Anr. ..Respondents.

Mr. M.K. Kocharekar,Advocate for the applicants.

Md. Rohini Pagar i/b Bhave and Co. for respondent No.1.

Ms. M.H. Mhatre, APP for the State.

CORAM : J.H. BHATIA, J.

DATE : 5TH FEBRUARY, 2007.

P.C.

. By this application, the applicants seek restoration of Criminal Revision Application No. 169/2005, which was dismissed in default on 16/11/2006. That order dated 16/11/2006 shows that none had appeared on behalf of the applicants on 9th November, 2006 and applicants' advocate was informed about the next date but on that day also he did not appear. According to the applicants, they are from Madhya Pradesh and they had given necessary instructions to their advocate Mr. H.S. Nagi. But in spite of that Mr. Nagi did not care

to appear on the dates when the matter was called. There was no fault on the part of the applicants. In view of the reasons given in the application, I find that it is a fit case, to restore the revision application to the file.

2. The application is allowed.

3. Order dated 16/11/2006 is hereby recalled and Revision Applciation No. 169/2005 is restored to the file and same be listed for admission.

(J.H. BHATIA, J.)